1 Patrick Fredette, # 207284 (SPACE BELOW FOR FILING STAMP McCormick, Barstow, Sheppard, Wayte & Carruth LLP 2 Scripps Center, Suite 1050 312 Walnut Street Cincinnati, Ohio 45202 Telephone: (513) 762-7520 Facsimile: (513) 762-7521 3 4 5 Patrick.Fredette@mccormickbarstow.com 6 Timothy R. Sullivan, # 128467 McCormick, Barstow, Sheppard, Wayte & Carruth LLP P.O. Box 28912 7 5 River Park Place East 8 Fresno, CA 93720-1501 Telephone: (559) 433-1300 Facsimile: (559) 433-2300 9 Tim.Sullivan@mccormickbarstow.com 10 11 Attorneys for Defendants American Home Assurance Company 12 UNITED STATES DISTRICT COURT 13 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA. 14 SAN FRANCISCO DIVISION 15 CAREER SYSTEMS 16 Case No. CV 10-02679 BZ DEVELOPMENT CORPORATION. REQUEST FOR PERMISSION TO 17 Plaintiff, APPEAR AT CASE 18 MANAGEMENT CONFERENCE TELEPHONICALLY v. 19 AMERICAN HOME ASSURANCE COMPANY, DOES 1 – 100 20 21 Defendants. 22 Defendant American Home Assurance Company requests that the Court 23 grant permission for its counsel, Patrick Fredette, to appear telephonically at the 24 Case Management Conference set in this action for February 7, 2011, at 4:00 p.m., 25 in Courtroom G, before the Hon. Bernard Zimmerman. Mr. Fredette's office is in 26 Cincinnati, Ohio. Counsel for the parties have met and conferred and agreed that 27 both parties will file cross-motions for summary judgment to resolve whether 28

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Defendant had a duty to defend, and that the motions should be heard prior to either 1 party conducting extensive discovery. 2 3 Dated: January 31, 2011 Respectfully submitted, 4 McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP 5 6 By: /s/ Timothy R. Sullivan 7 Patrick Fredette Timothy R. Sullivan Attorneys for Defendants 8 American Home Assurance Company, a New York corporation. 9 10 11 IT IS SO ORDERED. 12 13 Dated:3 2011 14 Hon. Bernard Zin/merman 15 03704/00082-1682428.v1 16 Counsel shall contact CourtCall, telephonic court appearances at 1-888-882-6878, and make 17 arrangements for the telephonic conference 18 call. 19 20 IT IS SO ORDERED 21 22 23 Judge Bernard Zimmermar 24 25 26 27 28 2